



State of Utah

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Governor

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Lieutenant Governor

Department of
Environmental Quality

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DIVISION OF RADIATION CONTROL
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Director

March 15, 2010

Edward J. Markey, Chairman
Subcommittee on Energy and Environment
Committee on Energy and Commerce
2125 Rayburn House Office Bldg.
Washington, DC 20515-6155

Dear Chairman Markey:

This is in response to your letter dated March 18, 2010, requesting information about Utah's regulation of medical patients treated with radioactive Iodine-131. I have responded to your questions in the same order as asked in your letter.

Question #1: There are 20 licensees authorized to use therapeutic quantities of I-131.

Question #2: Inspections are conducted every one to three years.

Question 3: Utah follows Nuclear Regulatory Commission (NRC) Inspection Procedure (IP) 87131, "Nuclear Medicine Programs, Written Directive Required." A copy of the procedure is available on the NRC website.

Question #4: Utah has adopted the same requirements as NRC stated in regulatory guidance document "NUREG-1556, Volume 9, Revision 2."

Question #5: We do not keep a specific record of how many times inspectors have requested the information you seek. However, during every inspection of I-131 programs at medical facilities using quantities that require a determination of whether to release the patient in accordance with Utah Radiation Control Rule R313-32, our inspectors evaluate the licensee's patient release program to verify compliance.

Question #6: Utah does not keep a specific record of how many times inspectors have requested I-131 patient release records. However, these records are reviewed at the licensee's site during each inspection.

Question #7: No cases have been found.

Question #8: We do not agree. It is possible for an authorizing physician or medical physicist to

make an analysis of potential dose.

Question #9: No, Utah does not require records regarding the destination of patients released after I-131 therapy, be kept. During inspections, inspectors review case records to verify compliance with regulations dealing with release of patients. This is without regards to the patient's destination.

Question #10: Yes, inspectors evaluate the licensee's analysis process leading to patient release after I-131 treatment. No cases have been identified where calculations were not performed.

Question #11: There are no disclosure requirements for patients who have decided to go to a hotel post treatment. We have no evidence that a licensee has ever released a patient to a hotel.

Question #12: No, Utah has not.

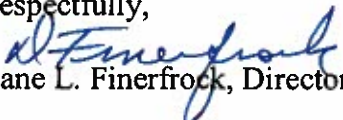
Question #13: No.

Question #14: There are no materials from Utah to the NRC relating to patient release after I-131 treatment.

Question #15: Inspectors have not found deficiencies with licensee record keeping dealing with patient releases.

If you need clarification or other information, please contact Craig Jones or me at 801-536-4250 or by email at dfinerfrock@utah.gov.

Respectfully,


Dane L. Finerfrock, Director